

REMARKS

Status of Claims

The Office Action mailed October 24, 2008, has been reviewed and the comments therein were carefully considered. Claims 1, 4 – 8, 11 – 15, 18 and 26 – 28 are pending in the application. Claims 1, 4 – 8, 11 – 15, 18 and 26 – 28 stand rejected. By this Amendment, Claims 26 – 28 have been cancelled.

Claim Rejections Under 35 U.S.C. 103

Claims 1, 4 – 8, 11 – 15 and 18 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hassell et al. (US 2004/0128685 A1, of record) in view of Shintani (5,668,591) and Lee et al. (5,937,163). This rejection is respectfully traversed.

Regarding Claims 26-28, the Office Action on page 6-7 states that:

(Hassell teaches the storage devices are external or internal to the STB and removable, and thus the situation would arise where second storage device would be unavailable, thus automatically defaulting to the first storage device, see paragraphs 0019-0021).

Applicant respectfully disagrees. Hassell does not provide any disclosure at the cited section regarding automatically defaulting to a first storage device if a second removable storage device is unavailable. Hassell does not teach or suggest any such feature at the cited section. Further, Hassell, either by itself or combined with any other references does not suggest such a feature. Whether or not such a situation “would arise”, the cited references do not address, nor propose a solution. Accordingly, Applicant asserts that Claims 26 – 28 are allowable.

Claims 1, 8, and 15 have been amended to include the subject matter of Claims 26 – 28, and Claims 26 – 28 have been cancelled. Claims 6, 13 and 20 have been amended based on the changes to the independent claims. Accordingly, Applicant asserts that all claims in the present application are allowable.

Conclusion

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

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